



PATENT COOPERATION TREATY
BEFORE THE INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
(IPEA/US)

International Patent Application No. PCT/US01/25317)
International Filing Date: 10 August 2001 (10.08.2001))
Applicants: SORENSEN, Jens Erik et al) Agent's Ref: 52-162-PCT
Commissioner of Patents and Trademarks
Box PCT
Washington, DC 20231

Filed by Facsimile Transmission to 703-305-3230 (12 pages)

REPLY TO WRITTEN OPINION UNDER RULE 66

This in reply to the Written Opinion mailed 5th August 2002 (05.08.2002).

Amendment Under Rule 66.3

Amend the Description by substituting enclosed replacement pages 1 and 2 for pages 1 and 2 filed with the Demand.

Amend the Claims by substituting claims 1-22 on enclosed replacement pages 39-42 for claims 1-12 on pages 39-41 filed with the Demand.

Explanation Of Reasons For Amendment

The Description is amended to be consistent with the amended claims.

The Claims are amended to better point out the subject matter of the present invention.

The subject matter of the amended claims is disclosed in the original Description at pages 8 and 9.

Argument Under Rule 66.3

Claims 1-22 are novel and define an inventive step over Tavor et al. for the following reasons:

Tavor et al. is not relevant to the subject matter of Claims 1-22 because Tavor et al. doesn't mention ideas for patentable inventions, transfers of property rights under patent rights to inventions, contractual obligations to transfer property rights to inventions, or providing contingent contractual rights to a portion of anticipated income derived from said property rights.

Further examination is requested based upon the following documents, which are believed to be relevant, although some of these documents were not published prior to the earliest priority date of the present application:

Harshaw	US Application Publication No. 2001/0010041 A1
Sakata	US Application Publication No. 2001/0010050 A1
Magid	US Application Publication No. 2001/0032144 A1
Powell	US Application Publication No. 2001/0032189 A1
Cronin	US Application Publication No. 2001/0034629 A1
Kossovsky et al.	US Application Publication No. 2002/0002523 A1
Prokoski	US Application Publication No. 2002/0046038 A1
Harrell et al.	US Application Publication No. 2002/0016727 A1
Waters	US Application Publication No. 2002/0032659 A1
Gakidis et al.	US Application Publication No. 2002/0095305 A1
Gabrick et al.	International Publication WO01/35277 A1
Choi et al	International Publication WO01/39056 A1

Copies of the US references can be downloaded from the USPTO database. Gabrick et al. was cited in the International Search Report. The cover sheet of Choi et al is enclosed.

Harshaw discloses a plurality of pools **10, 20, 30** with distinct subject matter. Each pool **10, 20, 30** is a repository for new product ideas. Individual/small business registrants **16, 26, 36** having a new product idea may register the idea with the appropriate pool through an accessible wide area computer network. The selected idea from the pools **10, 20, 30** is licensed **80** to a manufacturer. Royalties are divided among the registrants in relation to their respective contributions of licensed ideas. The selected product **50** will be introduced into a marketplace. See figures 1 and 2 and paragraphs 19, 23 and 24.

Sakata discloses a document publication system **100** communicating information with the clients **50-1 ~ 50-n** via a public network **10** (e.g. the Internet). The data reception section **140** receives document data concerning ideas that are supplied from the clients **50-1 ~ 50-n** via the public network **10**. The data publication system **110** has functions for publishing the document data received by the data reception section by use of the public network **10**. See figure 1 and paragraphs 52-57.

Magid discloses a web-based technology management that allows direct negotiations between a viewer and a presenter (step **3-8**). A seller and a purchaser optionally enter into a contract (licensing agreement, an assignment of rights) relative to an intellectual property.

Cronin discloses using combined ideas suggested by others in a group as a source of inspiration to come up with other ideas.

Kossovsky et al. discloses an on-line patent and license exchange. See figure 3 and paragraphs 56, 57 and 62-68.

Prokoski discloses a business entity (a) obtaining rights to at least one intellectual property (IP) asset; (b) determining a market value for the IP asset; (c) configuring an investment trust which holds the IP asset; (d) selling stock in the investment trust; (e) managing the IP including promoting it, licensing it and offering it for sale; and (f) distributing profits and losses to the shareholders. An on-line auction and resale site **430** also is disclosed. See figures 1 and 3 and paragraphs 15 and 85.

Waters discloses a system and method for obtaining and developing technology for market, including an "idea intake via web interface" receiving ideas from submitters. The system initially screens the ideas and translates them into searchable formats. The system automatically distributes idea information to experts via a web interface. Submission of ideas is encouraged by offering originators a percentage of the revenue generated from the eventual sale or licensing of technology embodying the ideas. Revenue is shared with the system proprietor. The system also licenses eligible patents online. See figures 1A and 1B and paragraphs 15, 16 and 29-31.

Powell discloses an originator **400** and user-driven **300** online commercial network system designed to facilitate idea submission, purchase and licensing. The originators of ideas are allowed to communicate non-disclosing synopses of ideas globally to potential users for the users to conveniently search for relevant ideas. See figures 1a, 1b, 2 and 3 and paragraphs 13, 42-45, 71, 76 and 77.

Harrell et al. discloses a network **12** having innovator interfaces **10**, an innovation marketplace server **16**, third-party vendors **13** and developer interfaces **14**. The innovator interfaces **10** comprise any individuals or companies that have an idea for an innovation in a particular field of endeavor. The developers access the developer interface **14** for developing and marketing third-party innovations. The innovation marketplace server **16** has sufficient resources to support access by a plurality of developers and innovators. See figures 1-4 and paragraphs 18-20, 22, 23, 38, 39, 42, 44, 45 and 55.

Gakidis et al. discloses the concept of idea shares. See paragraphs 50 and 90-94


Gabrick et al. discloses a file (innovation) management server (system) for transferring a file from a user PC/client (agent monitoring system) to a network data, ruler, classes logs, and file servers. Licensing and marketing of the innovations are also disclosed. See figures 2, 3, 4a-4d and 20 and pages 28, 29, lines 1-3 and pages 30 and 34.

Choi et al. discloses trading of cyber stocks in ideas.

It is submitted that Claims 1-22 are novel and define an inventive step over Tavor and the documents cited herein because, *inter alia*, Tavor and the cited documents neither describe nor suggest providing contingent contractual rights to a portion of anticipated income derived from property rights under patent rights to prospectively patentable inventions derived at least in part from ideas accumulated in a computer database for accumulating ideas for prospectively patentable inventions; wherein said contingent rights are provided in exchange for transfers of said property rights or in exchange for contractual obligations to transfer said property rights.

Respectfully submitted,

Dated 10-1-02


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Date October 1, 2002


Edward W. Callan

MANAGEMENT OF IDEAS ACCUMULATED IN A COMPUTER DATABASE

BACKGROUND AND SUMMARY OF THE INVENTION

5 The present invention pertains to management of ideas accumulated in a computer database. The accumulated ideas may include needs, problems, solutions, requirements, discoveries and/or inventions. A discovery of a problem, need or requirement calling for a solution is commonly an integral idea-component of an invention.

10 The present invention provides a method of managing ideas, comprising the steps of:

(a) maintaining a computer database for accumulating ideas for prospectively patentable inventions; and

(b) in exchange for transfers of property rights under patent rights to prospectively patentable inventions derived at least in part from the accumulated ideas, or in exchange for
15 contractual obligations to transfer said property rights, providing contingent contractual rights to a portion of anticipated income derived from said property rights.

In the preferred embodiments, said ideas include needs and/or requirements of said inventions.

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In some preferred embodiments, the method further comprises the step of:

(c) facilitating provision of such contingent rights by on-line communications between a computer system maintained by a proprietor of the database and computers used by contributors of ideas to the database.

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Preferably all of the steps are performed systematically. In alternative embodiments some of the foregoing steps are not performed systematically.

5 The foregoing steps are performed by one party or by different parties in concert with one another.

The present invention also provides computer readable storage media, comprising computer executable instructions for causing a computer to manage ideas in accordance with the method of the present invention.

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CLAIMS

1. A method of managing ideas, comprising the steps of:

5 (a) maintaining a computer database for accumulating ideas for prospectively patentable inventions; and

(b) in exchange for transfers of property rights under patent rights to prospectively patentable inventions derived at least in part from the accumulated ideas, or in exchange for contractual obligations to transfer said property rights, providing contingent contractual rights to a portion of anticipated income derived from said property rights.

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2. A method according to Claim 1, wherein step (b) comprises the step of:

(c) providing said contingent contractual rights in an on-line format.

3. A method according to 1 or 2, further comprising the step of:

15 (c) marketing said contingent contractual rights.

4. A method according to Claim 1 or 2, wherein a computer system facilitates use of contributor computers to make on-line contributions of said ideas to the computer database; and wherein step (b) comprises the step of:

20 (d) providing said contingent contractual rights by on-line communications between the computer system and the contributor computers.

5. A method according to Claim 1 or 2, wherein said ideas include needs and/or requirements of said inventions.

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6. A method according to Claim 1 or 2, further comprising the step of:

(d) systematically establishing contractual obligations by contributors of said ideas to the database to transfer property rights to inventions derived at least in part from said accumulated ideas, wherein said transfer is for contingent economic gain.

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7. A method according to Claim 1 or 2, further comprising the step of:

(d) systematically establishing contractual obligations by contributors of said ideas to said database to transfer property rights to inventions derived at least in part from said accumulated ideas to transferees other than contributors of ideas from which said invention was at least in part derived, wherein said transfer is for contingent economic gain.

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8. A method according to Claim 1 or 2, further comprising the step of:

(d) systematically establishing contractual obligations by contributors of said ideas to said database to transfer property rights to inventions derived at least in part from said accumulated ideas to a proprietor of said database or to a party in concert with said proprietor, wherein said transfer is for contingent economic gain.

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9. A method according to Claim 1 or 2, further comprising the step of:

(d) establishing contractual obligations by contributors of said ideas to said database to transfer property rights to inventions derived at least in part from said accumulated ideas, wherein upon establishing said obligations the transferees are not identified, and wherein said transfer is for contingent economic gain.

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10. A method according to Claim 6, 7, 8 or 9, further comprising the step of:

(e) facilitating establishment of such obligations by on-line communications between a computer system maintained by a proprietor of the database and computers used by

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contributors of ideas to the database.

11. A method according to any of the preceding claims, wherein each step is performed systematically

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12. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 1.

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13. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 2.

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14. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 3.

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15. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 4.

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16. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 5.

17. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 6.

5 18. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 7.

10 19. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 8.

15 20. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 9.

20 21. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 10.

22. A computer readable storage medium(media), comprising computer executable instructions for causing a computer(s) to manage ideas, wherein the instructions cause the computer(s) to perform the method of Claim 11.

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
31 May 2001 (31.05.2001)

PCT

(10) International Publication Number
WO 01/39056 A1

(51) International Patent Classification⁷: G06F 17/60

(21) International Application Number: PCT/KR00/01348

(22) International Filing Date:
23 November 2000 (23.11.2000)

(25) Filing Language: Korean

(26) Publication Language: English

(30) Priority Data:
1999/52475 24 November 1999 (24.11.1999) KR

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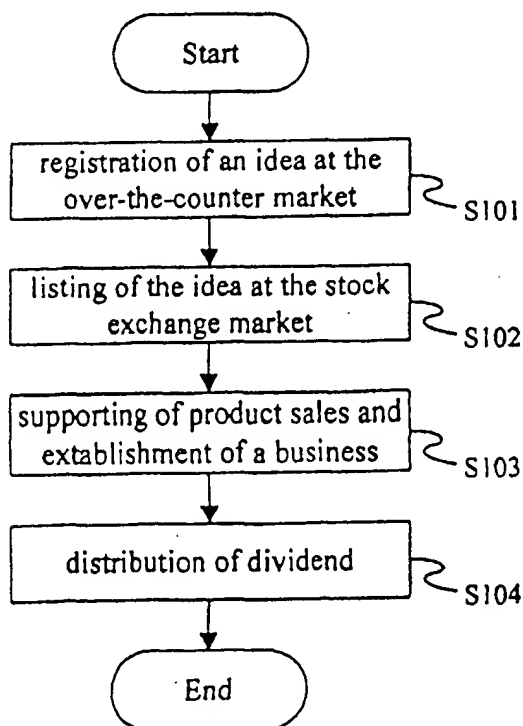
(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

Published:
— With international search report.

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: METHOD OF DEALING IDEAS IN INTERNET



(57) Abstract: A web site for trading of ideas issues cyber stocks for an idea which has been brought in by a user and registered at said web site, the marketability of said idea is then tested by cyber trading of said idea stocks in said web site by the members of the web site; and said web site supports actual marketing of said idea or establishing of a business for said idea by offering the shares for subscription by the members, or by other means, for an idea the marketability of which has been verified. Cyber money and/or cash may be used for trade of the cyber stocks. In addition, the offering of the shares for subscription may be made at one time, or divided at several times. If the stock price reaches a price higher than a predetermined one, a further subscription of the shares may be offered, and if the offering of the shares has been repeated more than a predetermined times, the idea shall be marketed or sold out. The shareholders are allowed to register an idea which is an improvement of the basic idea anytime during the above procedures. The increase in value of the idea brought by the brainstorming of the shareholders will be reflected in the increase of the price of the corresponding stock, the beneficiary of which will be the stockholders.